

Amendment No. 1 to SB0860

Kelsey  
Signature of Sponsor

**AMEND Senate Bill No. 860\***

**House Bill No. 1275**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following language as a new subsection:

(h) (1) For purpose of this subsection (h), "eligible petitioner" means a person who was convicted of a non-violent crime after January 1, 1980, if the person:

(A) Petitioned the court in which the petitioner was convicted of the offense and the judge finds that the offense was a non-violent crime;

(B) Petitioned for and received a positive vote from the board of parole to receive a pardon; and

(C) Received a pardon by the governor.

(2) Notwithstanding the provisions of this section, effective July 1, 2013, an eligible petitioner under subdivision (h)(1) may file a petition for expunction of that person's public records involving the crime. The procedures in subdivisions (g)(3)-(6), (8), (10), (14) and (15) will apply to a petitioner under this subsection (h).

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is amended in subdivisions (g)(10) and (11) by deleting the language "this subsection" and substituting instead the language "this subsection (g) or subsection (h)" and is amended in subdivisions (g)(14) and (15) by deleting the language "this subsection (g)" and substituting instead the language "this subsection (g) or subsection (h)" wherever it appears.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.